

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

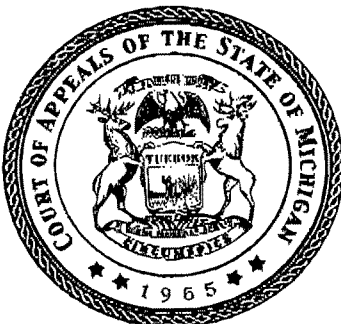
Re: **Rose Bogeart v Wayne Co Election Comm**  
Docket No. **283966**  
L.C. No. **07-730070-AA**

Pursuant to MCR 7.203(F)(1) and 7.216(A)(10), Chief Judge Henry William Saad orders that:

(1) The motion for immediate consideration is GRANTED, and (2) the claim of appeal from the circuit court's February 8, 2008 order is DISMISSED for lack of jurisdiction.

This appeal is dismissed because, under our Court's rules, when a party appeals to a circuit court from a lower court or other tribunal, such as the Wayne County Election Commission, the appeal to our Court, under MCR 7.203(A)(1)(a), must be by application, not by right.

Therefore, because this matter was originally filed in the Wayne County Election Commission and then appealed from the Commission to the Wayne Circuit Court, Speaker of the House Dillon is required to file an application for leave to appeal with the Michigan Court of Appeals within 21 days after entry of the order appealed from. MCR 7.103(B)(1). And, under MCR 7.205(F)(1), because the circuit court entered its order more than 21 days ago, Speaker of the House Dillon must file a delayed application for leave to appeal.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 6 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk